HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No. 665 of 2007

Between:

Yerraboina Muttaiah

... Appellant

And

The Revenue Divisional Officer,
Palwancha, Khammam District,
and two others

... Respondents

:: J U D G M E N T ::

Counsel for the appellant : Shri P.V. Ramana

Counsel for the respondents : Government Pleader for Revenue

6th September, 2007

Per G.S. Singhvi, CJ

This appeal is directed against order dated 11-7-2006 passed by the learned Single Judge in Writ Petition No. 6446 of 2006, whereby he rejected the appellant's prayer for restraining the respondents from interfering with his possession and enjoyment of land measuring Acs.3.00 cents comprised in Revenue Survey No. 444 of Palvoncha Village and Mandal, Khammam District.

After arguing the case for sometime, Shri P.V. Ramana, learned

counsel for the appellant came up with the request that his client may be permitted to withdraw this appeal along with the writ petition with liberty to pursue his remedy elsewhere.

Learned Government Pleader for Revenue says that he does not have any objection if the request of Shri Ramana is accepted.

In view of the above, this appeal and Writ Petition No. 6446 of 2006 are dismissed as withdrawn with liberty to the appellant to avail other remedies.

While dismissing the appeal and the writ petition as withdrawn, we make it clear that the observations contained in the order under challenge shall not adversely affect adjudication of the issue which may be raised by the appellant while challenging order dated 29-7-2003 passed by the Mandal Revenue Officer.

As a sequel to dismissal of the appeal as withdrawn, WAMP No. 1326 of 2007 filed by the appellant for interim relief is disposed of as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

September 6, 2007
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